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August 4, 2025

VIA ECF

Honorable André M. Espinosa
United States Magistrate Judge
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: Shapiro et al. v. Aetna Inc. and Aetna Life Insurance Company
No. 2:22-cv-1958 (ES) (AME)**

Dear Judge Espinosa:

Defendants Aetna Inc. and Aetna Life Insurance Company (collectively, “Aetna”) and Plaintiffs Beth Shapiro, Lori Ann Lombardi, and Heather Gitlin (collectively, “Plaintiffs”), respectfully submit this letter pursuant to the Court’s request at the July 21, 2025 status conference.

Consistent with the Court’s request, the parties have met and conferred regarding the pending discovery dispute concerning Plaintiffs’ Requests for Production (“RFPs”) and Aetna’s production of policies and procedures. Aetna intends to produce this week three additional policies that were inadvertently withheld during its initial production and to re-produce approximately 120 previously-produced policies to address a formatting issue it discovered. Aetna is not aware of any additional policies or procedures that are responsive to Plaintiffs’ RFPs and is not withholding any policies or procedures. The parties therefore agree the dispute about RFPs 13 and 21 has been resolved and does not require the Court’s attention.

The parties also met and conferred regarding the ESI dispute. Plaintiffs proposed to limit the ESI requested by RFPs 14 and 15 to “the current claims sample” and communications “after the relevant plan is in place.” After consideration it remains Aetna’s position that these documents are not properly discoverable in this ERISA action and that it would be unduly burdensome and not proportionate to the needs of the case to collect, search, and produce communications pertaining to the 350 claims in the claims sample. Accordingly, the parties remain at an impasse on these RFPs.

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Respectfully submitted,

s/ Mariellen Dugan

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